

**TOWN OF KEYSTONE
Summit County, Colorado**

RESOLUTION 2024-49

**A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO
ADOPTING A TOWN PURCHASING POLICY**

WHEREAS, Colorado law, C.R.S. § 31-15-302(1) provides that a Town has the authority to “provide for payment of debts and expenses of the municipality”; and

WHEREAS, The Keystone Town Charter Articles 1 and 10 reaffirms the authority of the Town to make expenditures in the best interests of the Town; and

WHEREAS, Town Council desires to approve a purchasing policy for the purpose of setting forth the procedures that the Town will use in the procurement of goods and services; and

WHEREAS, Town Council has determined that the Town of Keystone Purchasing Policy attached hereunder will provide for the efficient operation of government while providing transparency and protecting the assets of the Town.

Now, Therefore, be it Resolved by the Town Council of the Town of Keystone, Colorado, that:

Section 1. The Town of Keystone Purchasing Policy attached hereunder shall be adopted as the Purchasing Policy of the Town of Keystone

Section 2. Effective Date. This Resolution shall take effect upon its approval by the Town Council.

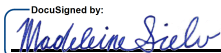
ADOPTED by a vote of 6 in favor and 0 against, this 11th day of June, 2024.

By: 


Kenneth D. Riley, Mayor

ATTEST:

Approved as to Form:

By: 

Town Clerk

By: 

Town Attorney

Town of Keystone Purchasing Policy

I. AUTHORITY:

Approval of this Purchasing Policy by the Town Council authorizes the Town Manager to approve contracts, agreements, and purchase orders for goods and services up to the Town Manager Approval Amount (being \$50,000, as more fully set forth in this Policy) provided that sufficient funds have been budgeted and appropriated by the Town Council.

II. PURPOSE OF POLICY:

The Town of Keystone is funded by tax dollars. As such, the Town's Purchasing Policy and related procedures have been established in order to ensure that tax dollars are spent in an economical manner that meets the business needs of the Town. The purpose of this Purchasing Policy is to promote government efficiency, transparency, and wise and economical use of public funds to ensure that the Town's money is used to best serve the Town's residents and taxpayers. All procurement shall be accomplished in compliance with applicable and mandatory state and federal law. The purchasing levels set forth in this Policy are subject to optional annual review and may be increased by the Town Council based on inflation and other economic or other relevant factors.

III. USE OF POLICY:

This Policy has been developed for use by the Town Manager and other Town employees in order to assist the Town Staff with implementing the budgets and appropriations approved by Town Council on an annual basis. This Policy confers no rights, duties or entitlements to any vendors, bidders or proposers.

IV. SCOPE:

This Purchasing Policy applies to all purchases by the Town or any Town-governed general or special improvement district hereafter formed, unless otherwise specified by ordinance, resolution, other policy, or otherwise specifically exempted by this Policy. Notwithstanding anything in this Policy to the contrary, the Town shall comply with the requirements of any procurement or purchasing process obligation in any applicable and mandatory state or federal law or any funding or other agreement that requires specific purchasing procedures or requirements. No procurement, regardless of the amount, shall be initiated without annual appropriated funds being available for such purchase.

A. EXEMPTIONS

The following Purchases are exempt from the purchasing procedures set forth in this Policy but shall be subject to the procurement classifications set forth in Section VI (A) of this Policy:

A. Small Dollar Purchase – Purchases where the estimated total cost of the items or services is less than \$5,000 may be sent directly to the vendor by the Town Manager. Although

these purchases are exempt, competition is encouraged to ensure best value for products and services.

B. Professional Services – Services provided by those who possess a high degree of professional or specialized skill such as accountants, public finance specialists, architects, engineers and attorneys may be exempt from this Purchasing Policy. Such service providers must meet the minimum qualifications and standards for providing the service. The Town Manager has the discretion to require the Formal Procurement process for any professional services. As used in this Policy, “professional services” may include arranging for certain “on-call” services from firms providing professional or administrative office support services to the Town, including but not limited to engineering firms, special legal counsel on an as-needed basis, and firms providing mail distribution and other such services.

C. Extensions – Extension of existing contracts may be negotiated when a vendor offers to extend under the same conditions and at the same or lower price and such extension is determined to be in the best interest of the Town. Contract extensions are limited to two (2) one-year terms beyond the initial term.

D. Sole Source - Purchases that are obtainable, for practical purposes, from only a single or sole source due to distribution rights, intellectual property or other exclusive rights as determined by the Town Manager, upon a finding that, after reasonable inquiry, there is a single or sole provider of such goods or services within the local or general area. Sole source purchases in excess of Fifty Thousand Dollars (\$50,000) shall be subject to review and approval by Town Council.

E. Cooperative Purchasing – Purchases made through Cooperative Purchasing arrangements which combine the requirements of two or more political entities to obtain the advantages of volume purchase, reduction in administrative expenses, or other public benefits.

F. Government Purchases - Purchases from federal, state or other local government units.

G. Employment - Employment agreements or employee services, including short-term contract employees as may be needed from time to time. All Town employees shall be subject to the then-current personnel policies of the Town.

H. Emergency Purchases - Emergency Purchases shall extend to contracts for goods or services where time is of the essence for performance of the contract and the increased time to bid the contract would substantially impair the performance of the contract and/or result in an increased cost of performance. In emergency situations, the Town Manager has authority to make all necessary expenditures resulting from the emergency.

I. Real Property / Water Rights – Purchases of water rights or interests in real property.

V. DEFINITIONS:

“Award” means the acceptance of a quote, bid or proposal.

“Best Interest of the Town” means a discretionary determination that a decision is most advantageous to the Town.

“Best Value” means an assessment of the return which can be achieved based on the total life cycle cost of the procurement, where life cycle cost means the total cost associated with ownership; it includes the cost of the item, operating and maintenance cost and estimated disposal value; may include an assessment of the functionality of the item or service; the assessment may utilize a cost/benefit analysis to define the best combinations of quality, service, time, and cost considerations over the useful life or contract period.

“Bid” means an offer, as a price.

“Town” means the Town of Keystone, Colorado.

“Town Council” means the Town Council of the Town of Keystone, Colorado.

“Town Manager” means the Town Manager of the Town of Keystone, or the Town Manager’s designee, who shall serve as the purchasing manager on behalf of the Town. The Town Manager may delegate such authority to an employee, agent, or contractor of the Town and may delegate the role of purchasing manager for all, part, or selective types or classes of purchases. Notwithstanding any of the provisions of this Policy, the Town Manager may require any purchase to be subjected to a more formal purchasing process than is otherwise required under this Policy.

“Town Manager Approval Amount” means the dollar amount of a purchase which the Town Manager has authority to approve without review and approval by Town Council. As set forth in this Purchasing Policy, the Town Manager Approval Amount is Fifty Thousand Dollars (\$50,000).

“Contract” means a deliberate or written agreement between two or more parties to perform or not to perform a specific act or acts.

“Cooperative Purchasing” means the combining of requirements of two or more political entities to obtain the advantages of volume purchases, reduction in administrative expenses, or other public benefits.

“Emergency Purchase” means a Purchase for which the Town may suffer financial or operational loss, unless the goods and/or services are procured in the shortest amount of time possible. Emergency Purchases are intended to prevent or minimize further losses to the Town, or are intended to prevent or minimize the impacts on public health, safety, or welfare.

“Information and communication technology” (ICT) means information technology and other equipment, systems, technologies, or processes, for which the principal function is the creation, manipulation, storage, display, receipt, or transmission of electronic data and information, as well as any associated content. Examples include computers and peripheral equipment; information kiosks and transaction machines; telecommunications equipment; customer premises equipment;

multifunction office machines; software; applications; Web sites; videos; and electronic documents.

“Invitation for Bid” (IFB) means a formal request to prospective vendors soliciting price quotations or bids; contains or incorporates by reference, specifications or scope of work and general terms and conditions.

“Pre-Qualified Bidder” means a potential bidder or proposer who meets Town-established or Town-imposed minimum standards of experience, financial ability, managerial ability, reputation, and work history for a specified class of goods, services, or projects.

“Purchase” means a purchase or acquisition of goods or services (including, but not limited to, construction services) by contract, lease, or otherwise.

“Purchasing Card Program” or “Program” means the purchasing card program described in Section VI.D. of this Policy.

“Request for Proposal” (RFP) means all documents used for soliciting formal competitive proposals. The RFP procedure permits negotiation of proposals and prices as distinguished from competitive bidding and an Invitation for Bid.

“Responsible Bidder” means a vendor who has the capability in all respects to perform in full the contract requirements and has the integrity and reliability to assure good faith performance.

“Responsive Bidder” means a vendor whose bid conforms in all material respects to the terms and conditions set out by the Town.

“Supplier/Contractor” means an actual or potential person or business that is willing to enter into a Purchase with the Town.

“Vendor” means one who sells goods or services; a supplier.

VI. POLICY

A. PROCUREMENT CLASSIFICATIONS

The following Procurement Classifications are established and the procedures to follow for each classification are set forth in Purchasing Processes in this Policy.

Procurement Classification	Purchasing Range *	Purchasing Process	Purchasing Approval Level of Authorization	Town Attorney Approval Required (for Form of Contract or Purchase Order)
1	Less than \$5,000	Small Dollar – Exempt	Town Manager	No
2	\$5,000 up to Town Manager Approval Amount (\$50,000)	Simple Procurement	Town Manager (including review by Town Finance Director)	Yes
3	Over Town Manager Approval Amount	Formal Procurement	Town Council by Resolution or other official action	Yes

** Per calendar year or per occurrence (as applicable). Splitting of purchases to stay within a particular classification is not permitted.*

B. PURCHASING PROCESSES

The following purchasing processes shall be followed depending on the Procurement Classification as set forth in this policy:

1. **Simple Procurement.** Simple Procurement is accomplished through simple purchase activities that are sound and appropriate as determined by Town’s Finance Director, considering the price of the service or good sought to be purchased. A reasonable and adequate number of price checks or quotes should be made by email, personal inspection, or discussions with vendors to ensure a quality product or service is obtained and best value is determined. Appropriate written notation of price quotes for comparison should be made for costs ranging from \$5,000 to \$50,000. The Town Manager, in their discretion, may accomplish Simple Procurement through the Quotations Solicitation (QS) Procedure or Letter or Proposal Procedure outlined below.
 - a. **Quotations Solicitation (QS) Procedure.** This process requires the Town Manager to solicit at least three written competitive firm price quotes through informal negotiation which is documented with a firm price quote in writing and

maintained on file. The Town Manager shall determine whether QS should issue in writing in order to obtain such competitive price and delivery quotes or whether verbal solicitation of written quotes is acceptable. Suppliers respond to the QS with firm quotations, and while price does not necessarily constitute the only consideration, as provided in the QS, generally the lowest-priced quotation is awarded the contract or order unless a demonstrable value is added by selection of another quotation. The Town Manager shall retain written records of the price quotes received for any purchases that are made in the \$5,000 - \$50,000 range.

- b. **Letter of Proposal Procedure.** This process requires the Town Manager to obtain at least three written competitive letters of proposal outlining the scope of work, performance standards and structure of costs. The Town Manager and other Town Staff, as determined by the Town Manager, shall review the proposals based upon the predetermined review criteria. The standard Town contract shall be fully executed, and all necessary insurance documentation shall be provided prior to the commencement of any work related to the contract.

The Town Manager reserves the right to call for formal bids at any time.

2. **Formal Procurement.** Formal Procurement is used for the procurement of goods and services above \$50,000 and shall be awarded through a **competitive sealed process** such as an Invitation for Bid (IFB) or Request for Proposal (RFP) process as approved by the Town Manager and reviewed by the Town Finance Director. The Town Manager shall maintain the firm price quotes on file for these purchases. The Town Manager shall consider all relevant factors in deciding which vendor to contract for the particular good(s) or service(s) involved. While price does not necessarily constitute the only consideration, generally the lowest-priced firm price quote shall be awarded the contract or order with the Town unless a demonstrable value is added by selection of another price quote. In all circumstances where a vendor other than the lowest-priced vendor is selected, the Town Manager shall document in writing why the particular vendor was selected. The standard Town professional services agreement (PSA), contract, or purchase order shall be utilized, and, where applicable, all necessary insurance documentation shall be provided to the Town prior to the commencement of any work related to the PSA or contract. In addition, prior to finalizing any purchase, the Town Finance Director shall review in order to confirm that funds have been appropriated and are available for the proposed purchase(s).

Formal Procurement Methods:

- a. **Invitation for Bid (IFB).** The IFB is a method of source selection in which the award is made to the responsive bidder and responsible bidder submitting the lowest cost bid determined to be in the best interests of the Town that complies with the detailed specifications and/or scope of work contained in the IFB. The IFB details the scope, qualifications, specifications and/or scope of work, and terms and conditions of the proposed contract or acquisition, including, if applicable, in the Town's discretion, any bonds or security required to secure any bid or performance. Bids shall be sealed and opened at the time and place as

set forth in the IFB. A tabulation of all received and opened bids shall be formulated and made available for public inspection.

i. Pre-Qualified Bidders. The Town may choose to advertise openly or, in the case of construction or other large projects, including service contracts, to submit the IFB only to Pre-Qualified Bidders that it has previously identified. In determining whether to issue an IFB only to Pre-Qualified Bidders, the Town Manager shall consider the best interests of the Town and whether a particular project or contract:

1. requires complex or unusual expertise or techniques;
2. involves a particularly tight time frame; or
3. involves experience in a very specific field; or
4. involves the construction of a public building or completion of any public works which project has a projected budget of \$50,000 or more.

If the Town chooses to issue the IFB only to Pre-Qualified Bidders, it may identify Pre-Qualified Bidders as an initial step and issue the IFB only to those Pre-Qualified Bidders. When possible, the Town will endeavor to identify and submit the IFB to no less than three (3) Pre-Qualified Bidders when it chooses to issue the IFB only to Pre-Qualified Bidders.

ii. Multi-Step Bid Procedure. Due to complexity of the services or products sought to be acquired, the Town may choose to engage in a multi-step sealed bid procedure. The multi-step sealed bid procedure may include issuance of an initial Request for Qualifications (RFQ) or similar document for the purpose of pre-qualifying a product or service based on specifications or experience prior to the submission of cost proposals. After pre-qualification, only the providers of products or services that meet the specifications or experience established in the RFQ will be permitted to submit cost proposals.

b. **Request for Proposal (RFP).** The RFP process is used when it is considered impractical or not advantageous to use the IFB method. Award is based on an evaluation of specified criteria, including price, and is made to the proposer whose proposal is determined to provide the best value for the Town. Sealed proposals shall be submitted at the time and place as set forth in the RFP. Only the names of the proposer will be read in public at the time proposals are due. Proposals will be evaluated by the Town Manager and other Town Staff as selected by the Town Manager in accordance with previously established evaluation criteria. This process may include discussions and negotiation between the Town and proposer(s).

c. **Cancellation.** Any IFB, RFP or other solicitation may be cancelled, and proposals or bids rejected in whole or in part when the Town Manager deems such cancellation or rejection in the best interests of the Town. The Town shall issue notice of cancellation to all proposers or bidders solicited.

C. PURCHASE OF INFORMATION COMMUNICATION TECHNOLOGY

The Town of Keystone is committed to ensuring that all persons with disabilities have access on an equal basis with all other citizens to the Town's programs, products, services, and information. Essential to meeting this objective is that all Town web and digital technologies are accessible to and usable by persons with disabilities. To this end, the Town supports the procurement of accessible information and communication technology (ICT) for compliance with HB21-1110, Colorado Laws for Persons with Disabilities, and accompanying rules, and the Americans with Disability Act, and Colorado Office of Information Technology (OIT)'s Rules Establishing Technology Accessibility Standards, 8 CCR 1501-11 (collectively "digital accessibility requirements").

These ICT Procurement Guidelines apply to all purchases of ICT, including purchase card purchases, solicitations (requests for procurement, requests for bids, contracts, p-card purchases, etc.) and responses thereto, and contracts for ICT products and services, which includes but is not limited to websites, web applications, software systems, electronic communications, e-learning, multimedia, and programmable user interfaces.

Process Steps

To facilitate the procurement of accessible ICT, the following steps should be implemented for products and services that fall within the scope of this procedure as described above:

Step 1. Evaluate the desired product with an accessibility checklist.

Step 2. Solicit accessibility information.

The Town shall require that bidders and vendors demonstrate that ICT provided to the Town conforms to or addresses the digital accessibility requirements.

For purchases that do not require an IFB, RFP, or RFQ, the ICT product's compliance with digital accessibility requirements must be evaluated. The required evaluation will depend on the ICT products exposure as provided in Step 1 above.

RFPs, IFBs and RFQs shall clearly define the Town's accessibility and useability criteria. The solicitations and procurement documents may include criteria that bidders and vendors demonstrate that ICT conforms to or addresses the applicable digital accessibility requirements. For example, bidders and vendors may be required demonstrate conformance by providing the following:

a. A narrative description of the [respondent's] experience in the IT accessibility domain signed by an authorized representative of the respondent; or

b. An attestation that the [respondent] conforms to the criteria or standard. For smaller (and less risky) procurements, a self-declaration of conformity may be sufficient, proportional, and practical. For larger procurements or procurements of enterprise products, additional information may be necessary. Vendors may optionally include supplemental information such as supporting evidence or third-party assessments. Examples of other relevant attestations that may be requested are:

i. A certificate, issued by an independent third party, as conformance verification (third-party certification).

ii. Request vendors (I) to clarify how vendors' products can be used to meet specific accessibility needs and requirements or (ii) to document their vendor's experience in accessibility and what business processes ensure the accessibility of the products.

iii. Request demonstrations of a vendor's product within the planned setting with the focus on its accessibility and application for different use cases including individual use and collaboration. These demonstrations should require the use of various assistive technologies. Both a listing of the use cases and assistive technologies should be identified in the RFP.

c. A completed Voluntary Product Accessibility Template (VPAT) also known as an Accessibility Compliance Report (ACR). If a VPAT is used, it must use the VPAT 2.4 template, which is based on WCAG 2.1 Level A/AA. The Information Technology Industry Council offers a free VPAT 2.4Rev WCAG (March 2022).

For enterprise purchases, procurement may include acceptance testing to verify the respondent meets Town's accessibility and useability criteria. This testing may include manual testing, automated testing, and/or testing by users with disabilities. The requirement for acceptance testing should be identified in the IFBs and RFPs.

The following is sample RFP language:

Requirements and Standards

Each information and communication technology (hereinafter referred to as "ICT") product or service furnished under this contract shall be accessible to and usable by individuals with disabilities in accordance with the Americans with Disabilities Act (hereinafter referred to as the "ADA") and other applicable federal laws and Colorado HB21-1110 and implementing regulations. For purposes of this clause, [the contractor] shall be considered in compliance with the ADA and Colorado HB21-1110 if it satisfies the requirements (including exceptions) specified in the regulations 28 CFR Part 35 related to digital accessibility requirements and technical standards under the ADA and specified in the regulations 8 CCR 1501-11 implementing Colorado HB21-1110, including the Web Content Accessibility Guidelines (WCAG) 2.1 Level AA or higher, which are incorporated by reference, and the functional performance criteria.

Compliance may be demonstrated by an evaluation, as documented in writing, that the ICT "best meets" the technical standards and also the Town's business needs. Town staff shall be required to follow the "best meets" guidance in documenting the best meets analysis.

Compliance may also be demonstrated by an evaluation, as documented in writing, that making the ICT fully conform with the technical standards would constitute an undue burden, fundamental alteration, or pose a direct threat or is otherwise exempted under section 11.10 of OIT's regulations 8 CCR 1501-11.

Documentation

[The contractor] shall maintain and retain, subject to review by [the entity procuring the product or service], full documentation of the measures taken to ensure compliance with the applicable requirements and functional performance criteria, including records of any testing or simulations conducted. For each ICT subject to

the contract, the documentation shall include a description of conformance with applicable federal and state laws by means of either a Voluntary Product Accessibility Template (VPAT) or other comparable document, upon request.

Remediation

If [the contractor] claims its products or services satisfy the applicable requirement and standards specified in clause (a) and it is later determined by [contracting officer] that any furnished product or service is not in compliance with such requirements and standards, the [contracting officer] will promptly inform [the contractor] in writing of the noncompliance. [The contractor] shall, at no cost to [the entity procuring the product or services] repair or replace the non-compliant products or services within the period specified by [the contracting officer]. If the repair or replacement is not completed within the specified time, [the contracting officer] may cancel the contract, delivery or task order, or purchase or line item without termination liabilities or have any necessary changes made or repairs performed by employees of the entity or by another contractor, and [the contractor] shall reimburse [the entity procuring the product or service] for any expenses incurred thereby.

Definition

Information and communication technology means information technology and other equipment, systems, technologies, or processes, for which the principal function is the creation, manipulation, storage, display, receipt, or transmission of electronic data and information, as well as any associated content. Examples include computers and peripheral equipment; information kiosks and transaction machines; telecommunications equipment; customer premises equipment; multifunction office machines; software; applications; Web sites; videos; and electronic documents.

Step 3. Validate accessibility information received.

The Town is required to review the compliance of the ICT to the digital accessibility requirements. Validation may take place pre-award or post-award depending on the type of ICT product or service to be procured.

Step 4. Require Contract language.

The Town shall require that bidders and vendors demonstrate that ICT provided to the Town conforms to or addresses the digital accessibility requirements and the contractor agrees to the continuing obligation to meet these expectations. The Town may want to include provisions in the contract to require ongoing accessibility requirements, continued validation of the contractor's product or service to demonstrate that it meets the digital accessibility requirements, retention of the documentation demonstrating compliance, and indemnity and/or obligations related to digital accessibility.

D. PREPAYMENT OF CONTRACTS & PURCHASE ORDERS

Prepayment of purchase orders and contracts is discouraged. Prepayment is acceptable, however, for:

1. Small-Dollar Purchases (less than \$5,000), where prepayment is required by the supplier.
2. Any purchase under the Town Manager Approval Amount, under special circumstances, with the approval of the Town Council by Resolution.
3. Subscriptions, where usual business practices require payment in advance, but the term of any subscriptions shall not exceed one (1) year.
4. Memberships in professional associations, where such memberships have demonstrated value to the Town.
5. Equipment maintenance services or agreements, where such services are performed within the budget period.

E. PURCHASING CARD PROGRAM

The purpose of the Purchasing Card Program (the "Program") is to streamline and simplify the requisitioning, purchasing and payment processes for Small Dollar and Simple Procurement purchasing activities. The goals of the Program are to:

- Reduce the cost of processing Small Dollar and Simple Procurements
- Receive faster delivery of required goods and services required for effective administration of the Town's affairs
- Simplify the payment process

The Program will consist of one (1) credit card issued by such banking institution as the Town may do business with from time to time.

Initially, following the effective date of this Policy, only one (1) credit card shall be issued and such card shall be issued to the Town Manager. Additional cards may be issued to Town Department Heads (or Department Directors) with the written approval of Town Council, by majority vote.

The individual cardholder is the only person entitled to use the card and the card is not to be used for personal use. Cards issued under the Program may not be transferred from one Town employee to another. Use of any card issued under the Program for personal use may result in discipline up to and including termination. The Program is intended to be used for maintenance, repair, operating and other low value purchases needed for the administration of the Town's affairs, and which purchases are required to implement the budget and appropriations approved by Town Council during the relevant accounting period. Authorized purchases may include:

- Books and subscriptions
- Computer supplies
- Office supplies
- Professional membership dues
- Continuing education expenses*
- Hardware, spare parts, and tools
- Conference registration fees*
- Miscellaneous office supplies
- Short-term equipment rental
- Meal expenses associated with Town meetings

*In accordance with the Town's personnel policies, the Town may pay for or reimburse for job-related educational programs if approved in advance by the Town Manager and if the training is directly related to the employee's immediate job or anticipated promotional opportunities.

Unauthorized purchases

- Items for personal use
- Fuel for personal vehicle
- Long-term equipment leases

Receipts for all purchases made under the Program shall be turned into the Town's Finance Director, together with any back-up documentation or other information as may be requested by the Finance Director from time to time. The Town's Finance Director shall reconcile all purchases made under the Program on a monthly basis and assign account codes to each such purchase to ensure that all purchases are accurately assigned to the proper fund or cost center in the Town's annual budget. The Town Council shall retain the right to temporarily suspend or terminate the Program.

F. LOCAL PREFERENCE

Town Staff is encouraged to use businesses located in Keystone whenever the procurement is less than the Small-Dollar Exempt amount. Businesses located within Keystone are encouraged to submit bids or proposals whenever there is an open bid or proposal or when they receive an invitation to do so. Where all award factors are equal, a preference for bid awards will be given to a bidder with its principal place of business located in the Town of Keystone.

G. ETHICS AND PROFESSIONAL CONDUCT

The Town will maintain the highest standards of integrity and professionalism, affording maximum objectivity and fair treatment in all business relationships. Any situation which limits fair and open competition should be avoided. The Town Manager shall act in good faith, and shall not accept any gifts, gratuities or other things of value from vendors which might influence or appear to influence purchasing decisions.

H. CONFLICT OF INTEREST

The Town Manager shall not make, participate in, or attempt to influence any decision if he or she knows or has reason to know that he/she has a financial interest in the outcome of that decision.

I. PROTEST POLICY AND PROCEDURE

Any actual or prospective bidder, contractor, or vendor who is aggrieved in connection with the solicitation or award of a contract may submit a letter of objection to the Town Manager providing specific reasons for the protest. The Town Manager will render a response within ten (10) business days of receiving the letter with a copy provided to Town Council.

VII. EFFECTIVE DATE:

This Purchasing Policy shall be effective upon approval by Town Council.